

PATENT
Customer No. 22,852
Attorney Docket No. 7883.0003-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re 53(b) Continuation Application of)	
Application No.: 09/315,383)	Group Art Unit: Unknown
Inventor: Peter J. WILK)	
Filed: Herewith)	Examiner: Unknown
For: CORONARY ARTERY BY-PASS)	
METHOD)	

**Assistant Commissioner for Patents
Washington, D.C. 20231**

Sir:

PRELIMINARY AMENDMENT

Prior to the examination of this application, please amend the application as follows:

IN THE CLAIMS:

Please cancel claim 1, and add new claims 18-49, as follows:

--18. (New) An apparatus for measuring a thickness of a heart wall, comprising:
a member having a distal end configured to be positioned adjacent a heart wall;
and

an indicator disposed proximate a distal end of the member and adapted to
indicate a measurement corresponding to the thickness of the heart wall without the
indicator penetrating the heart wall.

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19. (New) The apparatus of claim 18, wherein the member further includes a device that extends from the distal end of the member to penetrate the heart wall.

20. (New) The apparatus of claim 19, wherein the device includes a sensing mechanism for determining a displacement of a tip of the device into the heart wall.

21. (New) The apparatus of claim 18, wherein the member includes a catheter.

22. (New) The apparatus of claim 18, wherein the indicator includes at least one transducer.

23. (New) The apparatus of claim 22, wherein the indicator includes a first transducer for transmitting a pressure wave and a second transducer for sensing a reflected pressure wave.

24. (New) The apparatus of claim 18, wherein the indicator is on the distal end of the member.

25. (New) The apparatus of claim 18, wherein the indicator is slidably disposed in a lumen defined by the member.

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26. (New) The apparatus of claim 19, wherein the device includes a laser.
27. (New) The apparatus of claim 19, wherein the device includes a drill.
28. (New) The apparatus of claim 18, wherein the indicator is coupled to an analyzer for determining the thickness of the heart wall.
29. (New) The apparatus of claim 18, wherein the indicator is coupled to an ultrasonic frequency generator.
30. (New) A method for measuring a thickness of a heart wall, comprising:
providing a member having a distal end and an indicator disposed proximate a distal end of the member;
positioning the distal end of the member adjacent a heart wall; and
using the indicator to make a measurement corresponding to the thickness of the heart wall without penetrating the heart wall with the indicator.
31. (New) The method of claim 30, wherein the indicator includes at least one transducer.
32. (New) The method of claim 30, wherein the using step includes transmitting a pressure wave and sensing a reflected pressure wave.

33. (New) The method of claim 30, further comprising analyzing the measurement to determine the thickness.

34. (New) The method of claim 33, wherein the analyzing includes analyzing a reflected pressure wave.

35. (New) The method of claim 30, further comprising extending a device from the member and penetrating the heart wall with the device.

36. (New) The method of claim 35, further comprising sensing the displacement of a tip of the device into the heart wall.

37. (New) The method of claim 30, wherein providing the member includes disposing the indicator on a distal end of the member.

38. (New) The method of claim 30, wherein providing the member includes slidably disposing the indicator in a lumen defined by the member.

39. (New) The method of claim 30, further comprising positioning the indicator adjacent the heart wall.

40. (New) The method of claim 39, wherein the positioning includes sliding the indicator relative to the member.

41. (New) A method of treating a heart, comprising:
positioning a distal end of an instrument proximate a surface of a heart wall;
measuring a thickness of the heart wall; and
creating a passage in the heart wall via the instrument, the passage being disposed at an angle with respect to a perpendicular to the heart wall at a location on the heart wall corresponding to the position of the distal end of the instrument.

42. (New) The method of claim 41, wherein the surface of the heart wall includes an endocardial surface.

43. (New) The method of claim 41, wherein the creating includes creating a plurality of passages disposed at an angle with respect to a perpendicular to the heart wall.

44. (New) The method of claim 41, wherein creating the passage includes terminating the passage in the heart wall.

45. (New) The method of claim 41, wherein the passage is formed by a recess.

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46. (New) The method of claim 41, wherein the creating includes one of drilling and lasing to form at least part of the passage.

47. (New) A method for supplying blood to the heart, comprising:
measuring a thickness of a heart wall;
forming a recess in the heart wall based on the measured thickness; and
directing blood to the heart wall via the recess.

48. (New) The method of claim 47, further comprising supplying the blood to be directed to the heart wall from a heart chamber.

49. (New) The method of claim 48, wherein the heart chamber is a left ventricle.

49. (New) The method of claim 47, wherein the directing of blood includes directing the blood at an angle to a perpendicular to the heart wall at a location where the recess is formed.--

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REMARKS


In the Request for filing a continuation application (filed herewith), Applicant canceled claims 2-17. By this Preliminary Amendment, Applicant cancels claims 1, and adds new claims 18-49. Therefore, claims 18-49 are pending in this application. Care has been taken to ensure that no new matter has been entered with this Preliminary Amendment.

Please grant any extensions of time necessary to enter this Preliminary Amendment and charge any required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 5, 2002

By: 
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